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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FIVE

JOSEPH A. ABILAR,
Defendant and Appellant,

v.

ANNABELLA POSAS,
Plaintiff and Respondent.

A146781

(San Francisco County
Super. Ct. No. CCH-15-77412)

Joseph A. Abilar appeals from the trial court's restraining order against him. We affirm.

BACKGROUND

In September 2015, respondent Annabella Posas filed a petition for a civil harassment restraining order against appellant (Code Civ. Proc., § 527.6). In her petition, respondent describes incidents in which she claims appellant physically assaulted her. Following a hearing on the petition, the trial court issued the requested restraining order.

DISCUSSION

Appellant's brief sets forth his version of the altercations with respondent and argues he acted in self defense.¹ There is no record evidence supporting appellant's version of the facts: appellant did not include in the record on appeal either his written response to the petition or any record of the oral proceedings in the trial court. Although

¹ Respondent did not file a response brief.

appellant included unidentified exhibits as part of his opening brief, these documents are not part of the appellate record and we accordingly disregard them. (Cal. Rules of Court, rule 8.204(d) [appellate brief may attach exhibits “in the appellate record”]; *Hodge v. Kirkpatrick Development, Inc.* (2005) 130 Cal.App.4th 540, 546, fn. 1 [declining to consider extra-record document attached to brief].)

“[A] judgment or order of the trial court is presumed correct and prejudicial error must be affirmatively shown. [Citation.] ‘In the absence of a contrary showing in the record, all presumptions in favor of the trial court’s action will be made by the appellate court. . . .’ [Citation.] This general principle of appellate practice is an aspect of the constitutional doctrine of reversible error. [Citation.] ‘ “A necessary corollary to this rule is that if the record is inadequate for meaningful review, the appellant defaults and the decision of the trial court should be affirmed.” ’ [Citation.] ‘Consequently, [appellant] has the burden of providing an adequate record. [Citation.] Failure to provide an adequate record on an issue requires that the issue be resolved against [appellant].’ ” (*Foust v. San Jose Construction Co., Inc.* (2011) 198 Cal.App.4th 181, 187.) Because appellant failed to provide an adequate record for our review, we must presume the trial court’s ruling was not in error.

DISPOSITION

The order is affirmed. Respondent shall recover her costs on appeal.

SIMONS, J.

We concur.

JONES, P.J.

BRUINIERS, J.

(A146781)